

REMARKS

The rejection of Claims 1, 2, 4-6 and 17-19 under 35 USC §112, ¶2 with regard to the preamble has been addressed above.

The rejection of Claims 1, 2, 4-6, 17-19 and 26-28 as being unpatentable over Bentz in view of Sakakibara under 35 USC §103(a) is traversed, and reconsideration thereof is respectfully requested.

Initially, we note that the Office Action, presumably with regard to Figs. 18 and 19 of Sakibara, does not explain what structure is the board and the cover member, and how the document teaches mounting the unidentified board on the unidentified cover member and the part designated as partition wall 3 (but actually constituting the sensor housing itself).

In any event, it is now clear that the invention claimed herein is one in which the resin cover is provided with a circuit board-containing portion and a torque transmission mechanism-containing portion, and in which the circuit board-containing portion is separated from the torque transmission mechanism-containing portion (110) by a partition wall interposed between those containing portions.

According to the present invention, therefore, the circuit board-containing portion (10B) is isolated from outside air and the torque transmission mechanism (4) by the partition wall (130). Such an arrangement prevents

moisture in the outside air and contamination (e.g., grease, EGR gas) in the torque transmission mechanism-containing portion (110) from entering into the circuit board-portion (10B). Consequently, the circuit board (11) as a motor control module and its connecting terminals can be effectively protected from corrosive atmosphere in a manner not taught in the prior art.

Neither Bentz nor Sakakibara discloses the resin cover being provided with a circuit board-containing portion and torque transmission mechanism-containing portion or the circuit board-containing portion being separated from the torque transmission mechanism-containing portion by a partition wall. Instead, in Bentz, a substrate (circuit board (21) apparently construed as the throttle control module) is accommodated in the boxlike housing part which is not a cover, and the housing part (16) is closed by an enclosure cap (18). See, in particular, Column 3, lines 55-62 of Bentz. The Sakakibara patent involves a rotational angle sensor, in which no disclosed throttle apparatus-components such as a power transmission apparatus, a throttle actuator and its electronic control module are described. A resin cover for these components is also not taught.

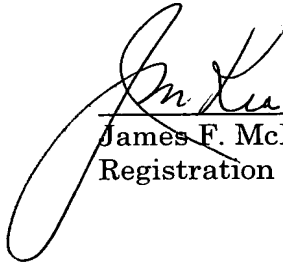
Accordingly, an early action on the merits of all claims remaining in this application is now earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056208.50262C1).

Respectfully submitted,

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